

**STATE OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
BOARD OF REGISTERED NURSING MINUTES**

**DATE:** September 19, 2008

**TIME:** 9:00 am Both Days

**LOCATION:** Doubletree Hotel Bakersfield  
3100 Camino Del Rio Court.  
Bakersfield, CA 93308  
(661 323-7111 (phone) – (661) 323-0331 (fax)

**PRESENT:** LaFrancine Tate, Public Member, President  
Susanne Phillips, MSN, RN, APRN-BC, FNP, Vice-President  
Andréa Guillen Dutton, Public Member  
Elizabeth O. Dietz, Ed.D., RN, CS-NP  
Janice Glaab, Public Member

**NOT PRESENT:** Nancy L. Beecham, RNC, BS

**ALSO PRESENT:** Ruth Ann Terry, MPH, RN, Executive Officer  
Heidi Goodman, Assistant Executive Officer  
Louisa Gomez, Manager, Licensing Standards & Evaluation  
Carol Stanford, Diversion/Probation Manager  
Louise Bailey, MEd, RN, Supervising NEC  
Katie Daugherty, MN, RN, NEC  
Miyo Minato, MN, RN, NEC  
Badrieh Caraway, RN, MS, Med, NEC  
Humberto Flores, Administrative Law Judge  
Kimberly Baker-Guillemet, Deputy Attorney General  
Linda Sun, Deputy Attorney General  
Norine Marks, DCA, Legal Counsel  
Kimberly Ott, Enforcement Program  
Alcidia Valim, Recorder

**Thursday, September 18, 2008**

**1.0 CALL TO ORDER**

L. Tate, Board President, called the meeting to order at 9:00 am and had the Board Members introduce themselves. The Board welcomed students from DeAnza College, and Bakersfield College.

## **2.0 DISCIPLINARY MATTERS**

The Board convened in closed session pursuant to Government Code Section 11126(c)(3) to deliberate on these matters and other disciplinary matters including stipulations and proposed decisions, and pursuant to Government Code Section 11126(e)(1, 2(A)) to confer with Legal Counsel regarding pending litigation.

### **Reinstatement:**

Carlitha Allen	DENIED
Felicia Beas	GRANTED
Susan Hill	GRANTED
Scott McCall	GRANTED
Michael Woodfin	GRANTED

### **Termination of Probation:**

Justin Puig	DENIED EARLY TERMINATION
-------------	--------------------------

## **Closed Session Discussion Items**

L. Tate, Board President, called the closed session meeting to order at 12:30. The closed session adjourned at 1:45.

## **Friday, September 19, 2008**

L. Tate, Board President, called the meeting to order at 9:15 am and had the Board Members introduce themselves.

## **3.0 OPEN FORUM**

Genevieve Clavreaul and Paul DeGusti came forward with a comment.

## **4.0 APPROVE/NOT APPROVE MINUTES OF June 12-13, 2008, Board Meeting**

MSC: Dietz/Phillips that the Board approve minutes. 5/0/0

## **5.0 REPORT ON BOARD MEMBERS' ACTIVITIES**

S. Phillips and L. Dietz attended an Advanced Practice Registered Nurse Summit by California Association of Psychiatric Nurse Practitioners. L. Tate attended the National Council State Boards of Nursing Annual Meeting in Nashville, TN. Award certificates were presented to Grace Coarse and Carmen Morales-Board for outstanding performance and dedication during their term on the Board.

## **6.0 EXECUTIVE OFFICERS' REPORT ON BOARD AND DEPARTMENT ACTIVITIES**

R. Terry presented this report

### **1.0 Board's Budget Update**

Workload and Revenue – Alcidia Valim, Budget Analyst, completed the Workload and Revenue Schedule for FY 2007/08. A copy of the chart showing the actual workload for each revenue category for the past five years as well as the projected workload for the next two fiscal years was provided. The following is a sampling of the trends that were noted in various revenue categories:

The number of RNs increased by 3.9% this past fiscal year. First time exam applicants increased by 15% and RNs endorsing into California increased by 10% over last fiscal year. RNs leaving California was slightly higher than those incoming with 12,850 endorsing out and 12,517 endorsing in.

Purchase of Equipment for FY 2009/10 – Each year the Board must formally request/purchase equipment for the upcoming fiscal year. The Board is requesting the following major equipment (equipment valued over \$5,000 per item): Two replacement copy machines for the Enforcement and Administration units. The minor equipment being requested (equipment valued at less than \$5,000 per item) will replace 40 personal computers, 5 laptop computers, 2 LAN printers, 1 color printer, and 1 fax machine. Replacing the Board's equipment enables staff to keep pace with the constant changes in technology as well as enabling staff to work more efficiently. It is also more cost effective to maintain equipment that has not outlived its useful life.

## **2.0 Department of Consumer Affairs (DCA) Updates**

Board Member Orientation – In accordance with Business and Professions Code Section 453, Board Members are required to attend DCA's Board Member Orientation within one year of their appointment.

Privacy Incident Update - On Tuesday, June 10, 2008, DCA employees were notified of an unauthorized transmission of their personal information that involved a DCA employee. Attached is the update provided by Scott Reid, Chief Deputy Director, on August 15, 2008 notifying DCA staff of the outcome of the investigation and the charges filed against a former DCA employee. At this time, the Department has no evidence that the information the employee allegedly compromised from DCA has been in any way misused, however, her actions were very serious and warrant criminal prosecution. DCA takes pride in the dedication and commitment of each and every one of its employees and holds sacred the trust it enjoys with all Californians. When this trust is violated, there is no choice but to do everything within our power to hold perpetrators accountable.

IT Governance Project – On September 15<sup>th</sup>, the BRN attended this strategic assessment presentation that is identified in the DCA Strategic Plan. The presentation demonstrated the importance and benefits of IT Governance and participants will receive a draft report and survey to complete to get this project underway.

Executive Order S-09-08 – Due to the budget impasse, on July 31, 2008, the Governor signed Executive Order S-09-08 which became effective immediately. It directed state agencies to:

- Cease hiring
- Cease authorizing overtime
- Terminate the services of retired annuitants (RA), permanent intermittent (PI), seasonal, temporary help workers, and student assistants
- Suspend all personal services contracts
- Pay the federal minimum wage to nonexempt FLSA employees

Exemptions were allowed for services and functions directly related to the preservation and protection of human life and safety. Agency Secretaries have the authority to grant exemptions for critical services and functions, including cost-reducing or revenue producing functions. The Board was granted some exemptions for our critical services and

functions that included: the Diversion Program Contract, the plastic card license contract and one RA nursing education consultant who processes job approvals for RN on probation. The Board has diligently worked within the guidelines to meet all the requirements of the Board and has submitted weekly updates to DCA outlining any impact to the Board.

iLicensing - The iLicensing Team conducted Confidential Discussions with potential vendors from July 14-18, 2008. These meetings allowed the State to meet and highlight any deficiencies or items requiring clarity with the potential bidders regarding their specific "draft" proposal. The goal is to have the final proposals to DCA in late October 2008.

In conjunction with the Office of Publications, Design and Editing (PDE), the iLicensing Team launched marketing efforts to create and adopt a system name and logo. Employees of DCA voted and the new system name will be "BREEZE". The logo appears below.



**BREEZE**

DCA Management Academy – Christina Sprigg, Licensee and Administrative Services Program Manager and Stacie Berumen, Enforcement Program Manager attended the first DCA Management Academy. More than 50 people were nominated to participate in this six day course held in Sacramento on September 17 -18, October 1 -2, and October 15-16. This training opportunity will assist the Board and Department in workforce planning and was given to individuals who demonstrate potential as a leader and who plan to remain in the department for the next two years. The coursework includes components in leadership, strategic thinking and planning, project team work; current issues facing DCA; change/adaptability/resilience; power and the political system to name a few.

### **3.0 Public Record Request**

The Board continues to comply with public record request and responds within the required timeframes that are set in Government Code Section 6250. For the period of June 3, 2008 through September 4, 2008, the Board received and processed 43 public record requests.

### **4.0 Continuity of Operations/Continuity of Government (COOP/COG)**

Governor Schwarzenegger issued Executive Order S-04-06 that directs all Executive Branch agencies to update their Continuity of Operations/Continuity of Government plans. Our annual revisions to the COOP/COG plan that includes staff and program updates was due to the Department on September 30, 2008.

### **5.0 Board's Web site**

In response to requests for a one-stop approach for documents, the Board's Web site has been updated with the Continuing School Approval Visit documents for RN pre-licensure, nurse midwifery, and nurse practitioner programs. The forms can be located under the School tab on the Board's Web site at [www.rn.ca.gov](http://www.rn.ca.gov).

## **6.0 Personnel**

The following personnel changes have transpired since the last Board Meeting:

<b>New Hires</b>	<b>Classification</b>	<b>Board Program</b>
Shannon Silberling	Office Technician	Administration
Elizabeth Hespeler	Staff Services Analyst	Probation Program
<b>Separations</b>	<b>Classification</b>	<b>Board Program</b>
Eleanor Calhoun	Admin Assistant II	Administration
Joanna Huynh	Key Data Operator	Licensing Support
Virginia McQueen	Office Technician	Cashiering

## **7.0 REPORT OF THE ADMINISTRATIVE COMMITTEE**

L. Tate, Chairperson

### **7.1 Information Only: Tentative Board Meeting Dates and Locations for 2009**

R. Terry presented this report

February	19-20, 2009	North
April	16-17, 2009	South
June	11-12, 2009	North
September	17-18, 2009	South
November	19-20, 2009	North

### **7.2 Information Only: NCSBN Delegate Assembly Report, 2008 Annual Meeting, Nashville, TN August 5-8, 2008**

R. Terry presented this report

BRN attended the NCSBN's Annual Meeting in Nashville. The opportunity to participate in the development and implementation of policy is invaluable as well as the networking opportunities with other states. The Board was very fortunate to also have in attendance Patricia Hunter, Executive Director, ANAC and Hedy Dumpel, Director of Policy, California Nurses Association. Their counsel on items on the agenda is most appreciative.

This year's annual meeting was also a celebration of NCSBN's 30<sup>th</sup> Anniversary. A book detailing the history of NCSBN was presented to those in attendance and is available in the Board's Office.

The following highlights the recommendations considered by the delegates during the business meeting:

1. Adopted the proposed APRN Model Rules and Regulations. The consensus paper that served as the background document will be presented during the Practice Committee Report.
2. The proposed revisions to the Education Model rules to increase minimum requirements for faculty of a VN/PN Program to a Masters Degree were adopted.

3. Adopted an associate membership fee of \$1500. British Columbia became the first associate member of NCSBN.
  4. Voted in the Nebraska Advanced Practice Board as the newest member of NCSBN.
  5. The following members were elected to the Board of Directors:
    - President – Laura Rhodes, West Virginia, Area II
    - Vice President – Lepaine McHenry, Arkansas, Area III
    - Treasurer – Ruth Ann Terry, California, Area I
- Director at Large (2 years)
- Randy Hudspeth, Idaho, Area I
  - Kathy Thomas, Texas, Area III
- Director at Large (1 Year)
- Cathy Giessel, Alaska, Area I
  - Greg Howard, Alabama, Area III
6. The delegates voted on one resolution to develop uniform core requirements for licensure and to report back on the progress at the next delegate assembly.

The next Delegate Assembly will be held August 10-14, 2009 in Philadelphia, PA.

## **8.0 REPORT OF THE LEGISLATIVE COMMITTEE**

L. Tate, Chairperson

### **8.1 Information Only: Adopt/Modify Positions on the following Bills, and any other Bills of Interest to the Board**

L. Bailey presented this report

AB 211 Jones: California Department of Public Health

MSC: Dietz/Phillips that the Board support AB 211. 5/0/0

AB 994 Parra: Health Care: Nurse training scholarship pilot program

MSC: Dietz/Guillen-Dutton that the Board support AB 994. 5/0/0

AB 1605 Lieber: California Conference of Local Health Dept

MSC: Dietz/Phillips that the Board support AB 1605. 5/0/0

AB 2637 Eng: California Dental Association

MSC: Phillips/Dietz that the Board oppose AB 2637 unless amended. 5/0/0

AB 2649 Ma: Neuropathy Foundation

Vetoed

SB 1393 Scott: Nursing Programs

Chaptered 175

SB 1441 Ridley-Thomas: Healing Arts Practitioners: Alcohol and Drug Abuse

MSC: Phillips/Dietz that the Board support SB 1441. 5/0/0

SB 1621 Ashburn: Nursing Education

Chaptered 183

## **9.0 REPORT OF THE DIVERSION/DISCIPLINE COMMITTEE**

A. Dutton, Chairperson

### **9.1 Information Only: Enforcement Program Update and Statistics**

H. Goodman presented this report

#### **Meeting with Los Angeles County Sheriff's Medical Services Bureau (LACSMSB)**

On June 26, 2008, Stacie Berumen, Enforcement Program Manager, Carol Stanford, Diversion/Probation Program Manager, Heidi Goodman, AEO, and several Enforcement Program staff met with the executive staff of LACSMSB that included: Captain Michael Kwan, Unit Commander; Kathleen Braman, RN, MN, CCRN, Director of Operations; Deborah McLean, RN, MHA, Clinical Nursing Director; and Arlene Martinez, RN, Clinical Nursing Director at the Board's office in Sacramento. Staff explained the enforcement process from complaint intake through administrative adjudication, processing time frames, reporting requirements, and types of actions taken by the Board. Additionally, an overview of the Board's confidential Diversion Program was provided.

Captain Kwan and his staff explained that the LA County Jail system is one of the largest correctional systems in the United States, housing approximately 20,000 inmates in 10 correctional facilities on a daily basis. They employ approximately 1,000 health care personnel who provide constitutionally required medical care for their inmate population. They are interested in insuring that their RNs are adhering to all requirements of the Nursing Practice Act. It was a very interesting and productive meeting and we appreciate that the executive staff from LACSMSB were willing to travel to Sacramento to meet with us.

#### **Division of Investigation**

Stacie Berumen, Enforcement Program Manager, met with Daryl Walker, Deputy Chief, and Kim Trefry, Intake Unit Supervisor on July 16, 2008. DOI plans to implement the Case Assignment Tracking System (CATS) with their staff in October 2008 and roll out to the boards and bureaus will begin in January 2009. This new system will permit the boards to submit requests for service (RFS) electronically.

The enhancements of this CATS system include immediate information on the location and investigator assignment and staff will be able to monitor the status of the investigation, on line. The newly created Intake Unit also plans to streamline the case referral process which will include gathering various documents prior to sending a case out to a field office. It is hoped that once a case is assigned it will be ready for immediate investigation thus reducing the processing time of our cases.

Future meetings will be scheduled with DOI executive staff to create a plan to improve and reduce processing times of the Board's investigations.

#### **Statistics**

A copy of the Enforcement Program statistics for the first half of Fiscal Year 2007-2008 (July 2007 through June 2008) was provided for review.

The Board's Fiscal year 2007-2008 statistics indicated that within the last six fiscal years the following numbers reflect the highest number of: complaints at 3,900; investigations opened at 2,754; pleadings filed at 494, and disciplinary actions at 339.

The Board opened 837 more investigations than in FY 2006/07 which is an increase of 44%. The Board referred an additional 122 cases to the Attorney General's Office for action which is an increase of 39%.

The Board settled 59% of all disciplinary matters by stipulated agreement. Additionally, only 11% of disciplinary matters went through an administrative hearing.

Next step is to meet with staff at DOI and the AG's offices to create a plan of action to improve processing times and prioritize cases. Continue to monitor and gather data related to the AG and DOI statistics and budget to determine if current and forecasted workload warrants pursuing a future budget change proposal for additional staffing and funding. Additionally, the Enforcement Program is monitoring the caseload and the number of hours being used by both the AG and DOI.

## **9.2 Information Only: Diversion Program Update and Statistics**

C. Stanford presented this report

### **Program Update**

The Diversion Program Manager was appointed to NCSBNs Chemical Dependency Program Review Committee and the first committee meeting was held June 30<sup>th</sup> - July 1<sup>st</sup>. The ultimate goal of this committee is to create standards of practice guidelines for all State Monitoring Programs for RN health professionals. The committee members bring a wealth of experience, information and knowledge and will develop tools to assist programs that are required to monitor health care professionals resulting in dual accomplishments: public protection and the rehabilitation of RN healthcare professionals.

### **Contract Update**

On July 28, 2008, the seven Boards were informed that Maximus was awarded the Diversion Program contract. The contract was extended through December 2008, during the protest period. It is anticipated that the new contract will be in place prior to December as meetings are being held with Maximus to prepare for the new contract. The DCA Contracts Unit was instrumental in assisting the Boards in developing an exceptional RFP and maintaining a fair and impartial process in awarding the contract.

### **Diversion Evaluation Committees (DEC)**

There are currently six vacancies as follows: five physicians, and one registered nurse. Recruitment efforts continue.

### **Statistics**

Copy of the Monthly Statistical Summary Report for April, May, and June 2008 was provided for review. As of June 30, 2008 there were 1,319 successful completions in the Diversion Program.

## **9.3 Information Only: Probation Program Update and Statistics**

C. Stanford presented this report

The Probation Program hired Elizabeth Hespeler as a new Probation Monitor and she joined the Board on September 1, 2008. Ms. Hespeler comes to the Board from Emergency Medical Services Authority and has worked for the Department of Public Health and will be an asset to the Program.



### **Statistics**

Below are the current statistics for the Probation Program through July 28, 2008. The statistics for the Probation Program have been revised as they will now include the total number of probationers who have either surrendered their license or had their license revoked for the reporting period.

MALE	123
FEMALE	352
CHEMICAL DEPENDENCY CASES	261
PRACTICE CASES	163
SOUTHERN CALIFORNIA	245
NORTHERN CALIFORNIA	230
PENDING AT THE AG	73
ADVANCED CERTIFICATES	37
REVOKED OR SURRENDERS (January – July 2008)	26
<b>TOTAL IN-STATE PROBATIONERS</b>	<b>475</b>

#### **9.4 Diversion Evaluation Committee**

**(a) Approve/Not Approve: Diversion Evaluation Committee Member  
Appointments/Reappointments/Term Extension**

**(b) Information Only: Diversion Evaluation Committee Member Resignation**

In accordance with Business and Professions Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation Committees (DEC). Each DEC is composed of three registered nurses, a physician and a public member with expertise in chemical dependency and/or mental health.

**(a) APPROVE/NOT APPROVE: Diversion Evaluation Committee Member  
Appointments/ Reappointments/ Term Extension**

### **APPOINTMENTS**

Below are the names of candidates who were interviewed and are being recommended for appointment to the Diversion Evaluation Committees (DEC). Their applications and résumés are attached. If appointed, their terms will expire June 30, 2012.

<b><u>NAME</u></b>	<b><u>TITLE</u></b>	<b><u>DEC</u></b>	<b><u>NO</u></b>
Elaine Bradley	Nurse	Palm Springs	6
Richard Diamond	Public	Sacramento	1
Elinore McCance-Katz	Physician	Oakland	13

### **REAPPOINTMENTS**

The following DEC members are requesting second term appointments. If their appointments are approved, their terms will expire on June 30, 2012.

<b><u>NAME</u></b>	<b><u>TITLE</u></b>	<b><u>DEC</u></b>	<b><u>NO</u></b>
Edy Stumpf	Public	Orange	4
Mardelle Buss	Physician	San Jose	7
Steven Robb	Nurse	San Diego	10
Diane Christoffels	Public	San Diego	10
Shannon Chavez	Public	San Jose	10

### **TERM EXTENSION**

The following DEC member is requesting an extension of his appointment. He has served two terms and is interested in a two-year extension of his appointment. If approved, his term will expire June 30, 2010.

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO</u>
Juan Martinez	Public	North Central	12

### **(b) INFORMATION ONLY: Diversion Evaluation Committee Member Resignation**

Below is the name of Diversion Evaluation Committee member who has had to resign for personal reasons. His efforts were recognized and certificates and letters of appreciation on behalf of the Board were mailed out.

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO</u>
Raymond Jones	Nurse	North Coast	11

(a) MSC: Dietz/Phillips that the Board approve Diversion Evaluation Committee Member Appointments/ Reappointments/ Term Extension. 5/0/0

### **10.0 REPORT OF THE EDUCATION/LICENSING COMMITTEE**

E. Dietz, Chairperson

#### **10.1 Ratify Minor Curriculum Revisions**

M. Minato presented this report

According to Board policy, Nursing Education Consultants may approve minor curriculum changes that do not significantly alter philosophy, objectives, or content. Approvals must be reported to the Education/Licensing Committee and the Board.

Minor Curriculum revisions include the following categories:

- Curriculum changes
- Work Study programs
- Preceptor programs
- Public Health Nurse (PHN) certificate programs
- Progress reports that are not related to continuing approval
- Approved Nurse Practitioner program adding a category of specialization

The following programs have submitted minor curriculum revisions that have been approved by the NECs:

- Western University of Health Sciences, Entry Level Master's Degree Nursing Program
- Biola University Baccalaureate Degree Nursing Program
- Dominican University of California Baccalaureate Degree Nursing Program
- West Coast University Los Angeles Baccalaureate Degree Nursing Program
- West Coast University Orange County Baccalaureate Degree Nursing Program
- Butte College Associate Degree Nursing Program
- Rio Hondo College Associate Degree Nursing Program
- San Joaquin Delta College Associate Degree Nursing Program
- Unitek College, LVN to RN Associate Degree Nursing Program
- Western Career College LVN to RN Associate Degree Nursing Program

- The progress reports on the following nursing programs were submitted by the NECs:
- California State University, Dominguez Hills, Entry Level Master's Degree Nursing Program
  - California State University, Northridge, Accelerated Baccalaureate Degree Nursing Program
  - University of California, Irvine, Baccalaureate Degree Nursing Program
  - Citrus College Associate Degree Nursing Program
  - Mira Costa College LVN to RN Associate Degree Nursing Program

MSC: Phillips/Tate that the Board ratify Minor Curriculum Revisions. 5/0/0

## **10.2 Approve/Not Approve: Education/Licensing Committee Recommendations**

M. Minato presented this report

The Education/Licensing Committee met on August 21, 2008 and made the following recommendations.

Continue Approval of Nursing Program

- Loma Linda University Baccalaureate Degree Nursing Program
- Bakersfield College Associate Degree Nursing Program

Defer Action to Continue Approval of Nursing Program

- Mount San Jacinto College Associate Degree Nursing Program

Continue Approval of Advanced Practice Nursing Program

- Loma Linda University Master's Degree Nurse Practitioner Program

MSC: Glaab/Tate that the Board approve Education/Licensing Committee Recommendations. 5/0/0

## **10.3 Accept/Not accept feasibility study for Charles Drew University Entry Level Master's Degree Nursing Program**

M. Minato presented this report

Mervyn M. Dymally School of Nursing at Charles Drew University is located in the Watts-Willowbrook area of south Central Los Angeles in the heart of the largest urban underserved area in the United States. It is one of the most socially and economically disadvantage communities in California. It was incorporated as a nonprofit private secular post graduate medical school on August 3, 1966. The postgraduate Medical School became a university in 1987 and is accredited by the Western Association of Schools and Colleges (WASC) in addition to several other accrediting agencies.

In three decades the university has graduated more than 500 physicians, 25,000 physician assistants and many more certified health professionals. From 1989-2006 the university offered a Master of Science in Nurse Midwifery, approved by this Board. This program graduated 109 midwives. The program was discontinued in 2006 due to low enrollment.

Charles Dew University campus has been enriched through the construction of a modern biomedical research center and a mental health facility. Charles Drew University resources includes the Learning Resource Center (LRC), the Center for Community and Preventive

Medicine and the International Health Institute. Charles Drew University also has the structure for the new proposed nursing program such as classrooms, library, computers and secretarial support. A new building is also under construction.

The budget identifies funds earmarked for building construction and those that are unrestricted. In addition the university has allocated \$1.3 million in the next fiscal year to purchase additional simulation equipment, with approximately \$650,000 going towards equipment for nursing. The university was awarded a \$9.5 million NIH-NCRR grant to lead a translational research network and ranked in the top 7% for the level of funding.

Charles Drew University has secured a number of slots for clinical placement. Several sites were able to provide a variety of evening, weekend shifts without displacing other students. There are several letters of support from clinical agencies. However, the clinical forms do indicate that several of the proposed clinical agencies are currently utilized by other nursing programs.

The program proposed is an Entry Level Masters Nursing Program for student holding a minimum of a Baccalaureate degree in a field other than nursing. Students will attend classes year-round with two 15 weeks semesters (fall and spring) in addition to the condensed 12 weeks summer semester. The total number of units will be 98 pre-requisites and graduate units. There will be 42 units of pre-licensure content (21 units theory/21 clinical).

Students graduating from this program will be able to assume a role of a direct provider of care, clinical nurse leader, nursing administration, or nursing faculty. Graduates will sit for NCLEX at the completion of the Masters.

The total proposed enrollment will be 40 students per cohort, starting with spring 2009. After the initial cohort is admitted in spring 2009 the program will move to a fall admission cycle only. The maximum number of students enrolled in this program at any given time will be 80 students.

Upon approval of the feasibility study Charles Drew University will hire a qualified Director and faculty. Charles Drew University already received several inquiries for faculty positions.

Dr. Gail Orum-Alexander was present to represent Charles Drew University.

The ELC recommended to accept the feasibility study for Charles Drew University ELM Degree Nursing Program.

MSC: Phillips/Tate that Board accept feasibility study for Charles Drew University Entry Level Master's Degree Nursing Program. 5/0/0

#### **10.4 Accept/Not Accept Feasibility study for Prelicensure Nursing Program Advanced Pro Nursing Institute Associate Degree Nursing Program**

M. Minato presented this report

Advanced Pro Nursing Institute is located in Alameda County in the city of Hayward, California. Currently 96 students are enrolled. APNI just had their pinning ceremony for

the first class of 24 LVN students. The school also offers a CNA program and a Home Health Aid Program, with plans to start an EMT and Medical Assistant program.

The LVN program was started in July of 2007 and another class began in 2008. APNI is a vocational education institution approved by the Bureau for Private Postsecondary and Vocational Education. This agency is now defunct; however, it is alleged they were told by the Department of Consumers Affairs president of CAPPS that the BRN may consider evaluating this feasibility and accept it pending re-opening of the BPPVE.

The feasibility study is deficient in several areas such as characteristics of the population of Hayward, current and emergent health needs of the area, the need for such a program, there are no clinical area forms. There are no letters of support.

The curriculum is also missing required content, no specific units for theory and clinical and it is unclear as to credit given for previous education. The budget is based on tuition reimbursement, and no other budget description was provided. There is no indication as to resources and expenditures.

APNI plans to offer the proposed program with the first cohort of students next January 2009. They plan to admit 70 students per year. There is no indication as to faculty and other resources.

Last September 3, 2007 a detailed letter was sent to APNI indicating the deficiencies of the feasibility study. APNI resubmitted the corrected version. However, this latest version is very similar to the previous report.

The ELC recommended not to accept the feasibility study for Advanced Pro Nursing Institute's ADN Program.

MSC: Glaab/Guillen-Dutton that Board not accept Feasibility study for Prelicensure Nursing Program Advanced Pro Nursing Institute Associate Degree Nursing Program. 5/0/0

**10.5 Accept/Not Accept feasibility study for Prelicensure Nursing Program Institute of Medical Education, LVN to RN Associate Degree Nursing Program**  
M. Minato presented this report

Institute of Medical Education (IME) is an independent vocational institution of higher education, serving the area of Santa Clara County, dedicated to offering programs for adult learners in the fields of Vocational Nursing, MRI Technology, Phlebotomy, Medical Assistants and Physical Therapy. IME offers associate degrees and certification programs. The focus of all programs is vocational education.

IME has accreditation from the BPPVE, BVNPT, the American Registry of MRI Technologist and the Western Association of Schools and Colleges (WASC). IME has graduated more than 1000 students in 2006 in various areas of study. The student population is diverse, ages 20-35 years with 39% coming from under-represented groups. IME currently has an LVN program (since 2005) the NCLEX-VN pass rate for 2006 was 72%.

IME proposal is for an LVN to RN Associate Degree Nursing Program. IME conducted a survey of current students enrolled in the LVN classes who are interested in becoming an RN. The survey indicated that 60% would apply for enrollment if IME had a program.

Classes for this proposed program will be offered in a two story building (25,000 sq. ft.) located in downtown San Jose, which houses approximately 10 classrooms, faculty offices, reception area, student library and skill lab. IME is willing to expand to another building for the proposed program

IME has allocated \$900,000 to begin the program. Additionally \$500,000 has been set aside for additional needs. IME is trying to secure clinical placements and has requested a membership in CCPS to become part of the nursing community in the Bay area.

There are letters of support attached to the feasibility study. The clinical facilities are still unclear as to where the students will be placed. The agencies are currently utilized by the many other programs in the same area. The projected enrollment will be 20-30 students increasing by 5% per year. IME is planning to graduate 90 students per year.

As submitted the proposed curriculum still does not meet BRN requirements. The latest version of the feasibility study describes courses for degree and advanced placement indicating the total number of units as 63 units. The units remain unclear. There is a statement indicating that 15 units of credit will be given for previous education; however, it is unclear as to how many units of theory and clinical will be given.

The earliest version of the proposed curriculum was for one year or two semesters, each 16 weeks, with apparently 13 units of clinical and 15.5 units of theory. There is a statement that the curriculum framework is Roy's; however, the course descriptions are not based on the Roy's Model. This section of the feasibility study is very confusing as to units, semesters/quarters, courses, content and competencies.

Clinical placement, curriculum including courses and vocational focus,, recruitment of qualified faculty and the number of projected enrollment remain areas of concern.

The ELC recommended not to accept the feasibility study for Institute of Medical Education LVN to RN ADN Program.

Ruth Terry would like the minutes to reflect a correction to IME accreditation from BPPVE stated above in the second paragraph. BPPVE does not accredit, they approve.

MSC: Phillips/Glaab that Board not accept feasibility study for Prelicensure Nursing Program Institute of Medical Education, LVN to RN Associate Degree Nursing Program. 5/0/0

#### **10.6 Grant/Not Grant Initial Approval of Prelicensure Program, West Coast University, Inland Empire Campus, Baccalaureate Degree Nursing Program**

M. Minato presented this report

Dr. Dianne Moore, founding Dean of Nursing at West Coast University-LA, is the Executive Dean of Nursing in the corporate office of West Coast University (WCU). Her responsibilities include new program development for WCU, and she provided the leadership for development of the proposed BSN program at West Coast University-Inland Empire (WCU-IE). Dr. Jo Anne Grunow is the new Dean of Nursing at WCU-IE.

Currently, WCU has two BRN approved BSN programs, one at its Los Angeles campus and the other in Orange County. Both of these programs maintain a heavily subscribed LVN to ASN track of the BSN program.

On June 16, 2008, the BRN accepted a Feasibility Study for a proposed BSN program at WCU-IE. On July 17, 2008, Carol Mackay, NEC, and Miyo Minato, NEC, conducted an initial approval visit for the BSN program at WCU-IE. The proposed program is in compliance with the Board's rules and regulations. Two recommendations were made related to resources and curriculum.

WCU-IE nursing department will have the same curriculum, policies and procedures, evaluation plan etc. as the other WCU campuses. And, like the other campuses WCU-IE will have a separate administrative team, program director, and nursing faculty.

If approved, WCU-IE intends to admit ASN students to the first nursing course in November 2009 (pre-requisites in November 2008). The first BSN student cohort will begin nursing courses in November 2010 (pre-requisites in September 2009). WCU-IE admission plan is to admit 44 ASN students every 10 weeks, and BSN students every 20 weeks.

WCU-IE has hired a dean/director for the nursing program. Pending BRN approval, interviews for the associate dean/ assistant director will be conducted. Nursing faculty will be hired as the program grows. WCU faculty compensation is competitive with the clinical setting, and a comprehensive recruitment plan is in place.

WCU's BSN curriculum reflects AACN's Essentials of Baccalaureate Nursing Education document. The pre-licensure component of the proposed BSN program consists of 46 semester units in the art and science of nursing (28 theory and 18 clinical), 9 units in communication, and 27 units in science for a total of 82 units required for licensure. An additional 43 units are required for the BSN degree, for a total degree requirement of 125 semester units.

Initially, WCU-IE will share a 70,000 square foot two-story building located in Ontario, California near the I-10 and Haven interchange with American Career College (ACC). Space dedicated solely to WCU includes: 5 state-of-the-art classrooms, two science labs, and a skills lab with six beds, 21 faculty pods/cubicles and nursing administration offices. The student common areas and library are shared with ACC. A full complement of student services, such as admissions, financial aid, and computer lab, is available at WCU-IE. The nursing program computer software programs and library holdings are networked to meet the learning needs of nursing students on all WCU campuses. WCU anticipates building a twin building to the existing structure in 2011 for WCU use only.

Recently, the Inland Empire developed a computerized clinical placement system. WCU-IE intends to join this consortium once the proposed nursing program is BRN approved. WCU has numerous clinical contracts in place in the Inland Empire. Based on current utilization of clinical placements, WCU was able to demonstrate availability of clinical placements for the additional WCU students without displacing other nursing programs.

Budget projections were prepared based on full enrollment in the BSN program and the LVN to ADN track. Funds are sufficient to support the new program.

Pursuant to Board approval, site visits will be scheduled at WCU-IE in accord with the BRN initial approval process. Submission of completed course syllabi will also be scheduled.

Wayne Fletcher and Nancy Cox were also present at the meeting along with Dr. Diane Moore who came forward to speak..

The ELC recommended to grant initial approval of West Coast University, Inland Empire Campus, Baccalaureate Degree Nursing Program.

MSC: Phillips/Tate that the Board Grant Initial Approval of Prelicensure Program, West Coast University, Inland Empire Campus, Baccalaureate Degree Nursing Program. 5/0/0

**10.7 Approve/Not Approve Proposed Amendments and Additions to Regulations, Title 16, Division 14, Article 3, Schools of Nursing, go forward with regulatory process and delegate to staff authority to make non-substantive changes.**

M. Minato presented this report

Gerri Nibbs, the Board's regulatory expert, gave an overview of the regulatory process to all students and visitors present.

Paul DeGiusti came forward to address the Board prior to this report.

Staff reviewed and drafted proposed amendments and new regulations to Title 16, Division 14, Article 3, Schools of Nursing. Significant changes to the Education Regulations involved sections 1421, 1422, and 1423, related to initial prelicensure registered nursing program application and approval requirements. These changes were presented at the last ELC meeting and approved at the April 18<sup>th</sup> Board meeting with the understanding that non-substantive changes may be made without being brought back for Board approval.

On May 13 and May 15, 2008, the Board held public forums in Sacramento and in Los Angeles, respectively, to receive public comments from interested parties on the proposed regulations. The Board received comments from representatives of nursing programs, schools planning to open new nursing programs, hospitals, and nursing organizations at the forum, and numerous emails were sent by program directors of currently approved nursing programs. There were a large number of public comments related to concerns with limited clinical placements for nursing students, including placements for students of new programs, and the impact these additional students would have on the current placement of students from existing nursing programs. A second area of concern that received large number of feedback came from nursing program directors on preceptorship faculty to student ratio. The comment was that the faculty to student ratio of 1:12 was too restrictive. The draft of regulations was revised and reflects the public comments received by the Board.

Revisions have been made to section 1421 and related documents since it was approved in April 2008. Two areas of substantive changes have been made. First the recognized accrediting body was changed from the U.S. Dept of Education to the Council for Higher Education Accreditation (CHEA) for granting associate, baccalaureate, or higher degree. Second, the changes to the definitions 1420(i), Education program, and 1420(p), Prelicensure registered nursing program, require that a prelicensure registered nursing program must be at



least a minimum of two years and offer a curriculum, equivalent to or that conforms to section 1426. Therefore, Section 1421 and related documents need approval.

The remaining sections of proposed changes and new sections to the Education Regulations are being brought forth to this committee for the approval. Highlights of Proposed Regulatory Changes for the revision of Title 16, CCR Sections 1420 to 1430, Schools of Nursing are the following:

- Previously approved revised sections 1421, 1422, and 1423, related to the New Program Approval and Requirements. These changes included:
  - Submission of feasibility study demonstrating need for new program and program's ability to sustain a program;
  - Appointment of Director following acceptance of feasibility study;
  - Submission of self study demonstrating ability to comply with all applicable law and regulations;
  - Prelicensure RN program must be a minimum of two-academic year, which means that all prelicensure nursing programs must offer a program that is at least two years or offer equivalent of instruction that conforms with section 1426.
  - Transferability of units for courses taken at the school.
- Section 1420, Definitions, was revised to more clearly define roles and responsibilities of the director, assistant director, and content expert. New terms were added, and terms were updated to reflect current nursing education and practice.
- Changed "accredit" to "approve" throughout these sections.
- New Sections Added:
  - NCLEX Pass Rate Standard: establish and define minimum acceptable first time pass rate at 75%. NECs have been monitoring NCLEX pass rates for programs that had rates of less than 70%. The national and California's pass rates have averaged in the mid 80%. A review other state board's standard showed that those boards with standards had set the rate in the 80% or standard set to the national mean.
  - Advanced Placement for Previous Health Care Education or Experience: Puts existing policy into regulations. This section is being added to clarify expectations that programs offer options and to have methods of evaluating prior health care related education and experience.
  - Preceptorship: This section clarifies the requirements for preceptorial learning experiences and puts existing policy into regulations.

Attachments included with this report were as follows:

- Attachment 1 - Final draft of the proposed regulatory changes to Title 16, Division 14, Article 3, Schools of Nursing
- Attachment 2 - "Instructions for Institutions Seeking Approval of New Prelicensure Registered Nursing Program (EDP-I-01, 07/08)"
- Attachment 3 - Preparing Self Study for Initial approval of Prelicensure Nursing Program (EDP-I-19, 07/08)
- Attachment 4 - Criteria & Guideline for Self Study (EDP-R-03, Rev. 06/03)

- Attachment 5 - Faculty Qualifications and Changes – Explanation of CCR 1425 (EDP-R-02, Rev 07/08)
- Attachment 6 - Faculty Remediation Guidelines (EDP-R-08, Rev 07/08)

The ELC received four comments 48 hours prior to the Board meeting and copies were presented to the Board Members. Comments were received from the Council of Recognized National Accrediting Agencies, Council for Higher Education Accreditation, Accrediting Commission of Career Schools and Colleges of Technology, and Corinthian Colleges, Inc.

The ELC recommended to approve the proposed amendments and additions.

MSC: Phillips/Guillen-Dutton that the Board approve proposed amendments and additions to regulations, Title 16, Division 14, Article 3, Schools of Nursing, go forward with regulatory process and delegate to staff authority to make non-substantive changes. 5/0/0

#### 10.8 Agenda Item Removed

#### 10.9 Information Only: NCLEX Pass Rate Update

K. Daugherty presented this report

The Board of Registered Nursing receives quarterly reports from the National Council of State Boards of Nursing (NCSBN) about the NCLEX-RN test results by quarter and with an annual perspective. The following tables show this information for 12 months and by each quarter.

#### NCLEX RESULTS – FIRST TIME CANDIDATES

July 1, 2007-June 30, 2008

JURISDICTION	TOTAL TAKING TEST	PERCENT PASSED %
California	9,151	85.93
United States and Territories	123,133	85.51

#### CALIFORNIA NCLEX RESULTS – FIRST TIME CANDIDATES

By Quarters and Year July 1, 2007 – June 30, 2008

07/01/07-09/30/07*		10/01/07-12/31/07*		01/01/08-03/31/08*		04/01/08-06/30/08*		07/01/07-06/30/08	
# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass
3,588	84.06	682	75.37	3,031	89.21	1,850	88.05	9,151	85.93

\*Includes (13), (9), (4) & (7) "re-entry" candidates

4/1/07 Passing standard increased to -0.21 logits & revised NCLEX-RN Test Plan implemented.

The Nursing Education Consultants monitor the NCLEX results of their assigned programs. Current procedure provides that after each academic year, if there is substandard performance (below 70% pass rate for first time candidates), the NEC requests that the program director submit a report outlining the program's action plan to address this substandard performance. Should this substandard performance continue in the second academic year, an interim visit is scheduled and a written report is submitted to the Education/Licensing Committee. If there is no improvement in the next quarter, a full

approval visit is scheduled within six months. A report is made to the Education /Licensing Committee following the full approval visit.

#### **11.0 Report of the Nursing Practice Committee**

S. Phillips, Chairperson

#### **11.1 Approve/Not approve: Consensus Model for APRN Regulation: Licensure, Accreditation, and Certification & Education**

J. Wackerly presented this report

The Consensus Model for APRN Regulation: Licensure, Accreditation, and Certification & Education completed through the work of the APRN Consensus Work Group & the National Council of State Boards of Nursing APRN Advisory Committee. Draft-APRN Joint Dialogue Group Report June 18, 2008.

The model for APRN regulation is the product of work conducted by the Advanced Practice Nursing Consensus Work Group and the National Council of State Boards of Nursing (NCSBN) APRN Committee. These two groups were working independent of each other, they joined through representatives of each group in what was called the APRN Joint Dialogue Group. The outcome of this work has been unanimous agreement on most of the recommendations

APRNs include certified registered nurse anesthetists, certified nurse-midwives, clinical nurse specialists, and certified nurse practitioners. Currently, there are no uniform models of regulation for APRNs across the states. The licensing boards governed by state regulations and statutes, are the final arbitrators for who is recognized to practice within a given state. Each state independently determines the APRN legal scope of practice, the roles that are recognized, the criteria for entry-into advanced practice and the certification examination accepted for entry-level competence assessment.

The Consensus Model of APRN Regulation defines APRN practice, describes the APRN regulatory model, identifies the titles to be used, defines specialties, describes the emergence of new roles and population foci, and presents strategies for implementation.

Implementation of the recommendations for an APRN Regulatory Model will occur incrementally. Due to the interdependence of licensure, accreditation, certification and education, certain recommendations will be implemented sequentially. The document recognizes that the model was developed through a consensus process with participation by APRN certifiers, accreditors, public regulators, educators, and employers, it is expected that the recommendations and model as delineated will assist in decisions made by each of these entities. A target date for full implementation of the Regulatory Model and all recommendations is the Year 2015.

Information provided by: Nancy Chornick, PhD, RN, CAE, Director of Practice and Credentialing, National Council State Boards of Nursing.

MSC: Dietz/Glaab that the Board approve Consensus Model for APRN Regulation: Licensure, Accreditation, and Certification & Education. 5/0/0

**11.2 Information only: American Nurses Association Endorse Consensus Model for APRN Regulations: Licensure, Accreditation, Certification, & Education**

J. Wackerly presented this report

The American Nurses Association news release July 1, 2008 ANA Board of Directors endorses a set of standards for APRN regulation to improve access to safe, quality care by advanced practice nurses.

ANA President Rebecca M. Patton, MSN, RN, CNOR statement is that "*A Consensus Model for APRN Regulation: Licensure, Accreditation, Certification, & Education*" will, for the first time, when implemented, standardize each aspect of the regulatory process for APRNs, resulting in increased mobility, and will establish independent practice as the norm rather than the exception. This will support APRNs caring for patients in a safe environment to the full potential of their nursing knowledge and skill.

ANA states that the APRN community is comprised of four roles: certified registered nurse anesthetist (CRNA), certified nurse-midwife (CNM), certified clinical nurse specialist (CNS), and certified nurse practitioner (CNP). Additionally, APRN's focus on at least one of six population foci: psych/mental health, women's health, adult-gerontology, pediatrics, neonatal, or family.

**11.3 Discussion Topic: Geriatric Nursing Practice and Education: Issues and Resources By: Ann M. Mayo; RN; DNSc Hartford Post Doctoral Fellow**

J. Wackerly presented this report

Gerontological and geriatric nursing practice and educational issues were presented and discussed. Topics included aging, health care delivery to older adults across settings, and diversity as it impacts care to older adults. Resources for faculty development, curriculum development, and certification were introduced.

Building Academic Nursing Capacity; Hartford Geriatric Nursing Competencies; American Nursing Credentialing Center (ANCC); John A. Hartford RN Review Course.

**12.0 Public Forum**

Genevieve Clavreaul and Paul DeGusti came forward with a comment.

Meeting Adjourned at 12:10 pm.

*Ruth Ann Terry M.P.H., R.N.*

Ruth Ann Terry, MPH, RN  
Executive Officer

*LaFrancine W Tate*

LaFrancine Tate  
President